

77-413/7

12 May 1977

MEMORANDUM FOR: Deputy Director Central Intelligence

FROM : Richard Lehman, Chairman
Executive Career Service Board

SUBJECT : Minority Employment

REFERENCE : Your memo to the Chairman, Executive
Career Service Board dated 2 May 1977;
same subject

Your assignment of minority employment objectives to the Executive Career Service has been transmitted to the Head of each Independent Office together with my plea that they make every effort to meet those objectives in FY 1977 and FY 1978 (see attachment). I am confident that they will do their best. I am certain, however, that you appreciate the fact that the "collegiate" type management structure of the Executive Career Service prohibits my applying any specific executive action or pressure to compel achievement of these objectives. Hopefully this would be unnecessary in any event and I will be able to report success in October of this year as well as next.

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Richard Lehman, Chairman
Executive Career Service Board

Attachment

as stated

(PHH:da 12 May 1977)

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ADMINISTRATIVE-

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12 May 1977

MEMORANDUM FOR: Comptroller
D/DCI/NIO
Legislative Counsel
General Counsel
Inspector General
Director, EEO

FROM : Richard Lehman, Chairman
Executive Career Service Board

SUBJECT : Minority Employment

REFERENCE : Memorandum for Head, E Career Service from
DDCI dated 2 May 1977; same subject

1. I recently received the attached memorandum (reference) from the DDCI which allocates specific professional minority employment objectives to the Executive Career Service for both 1977 and 1978. These objectives are established in paragraph 6 of the attached.

2. It is obviously not feasible to sub-allocate these objectives to each office and I don't feel we should attempt to do so. At this time, however, I am sure you would agree that we should make a truly sincere effort to meet - and even exceed - the levels assigned by the DDCI. I ask your personal attention to this problem in the hope that I can report success for the E Career Service to the DDCI in October and again next year.

3. I have asked the Secretary of the Board to keep me apprised periodically of our status in this area. If you feel that discussion of this problem at a Career Board meeting would be helpful, I will be happy to put it on the Agenda for our next meeting.

Richard Lehman, Chairman
Executive Career Service Board

Attachment
as stated

cc: Executive Secretary

(PHH:da 12 May 1977)

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ER copy
Executive Registry
77-41376

OGC 77-2695
28 April 1977

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MEMORANDUM FOR :
Special Assistant to the DDCI

FROM :
Office of the General Counsel

SUBJECT : Proposed Goals Concerning Minority Employment

REFERENCE : Memorandum to the DDCI from F. W. M. Janney,
Director of Personnel; Subject: Minority Employment

1. Having reviewed the referent material in light of the developing law of affirmative action and reverse discrimination, this Office is of the opinion that setting the minority hiring goals as planned presents no legal problem.

2. The setting of goals regarding minority recruitment is well within the scope of agency action contemplated by the Equal Employment Opportunity Act of 1972 (42 U.S.C. 2000e-16). The law of affirmative action will necessarily be affected by decisions regarding what is termed reverse discrimination, inasmuch as affirmative action and reverse discrimination, in large measure and in a legal sense, tend to be opposite sides of the same coin. The United States Supreme Court has yet to apply its wisdom to the Bakke case (Bakke v. Regents of the University of California, 45 LW 2179), in which the California Supreme Court found impermissible reverse discrimination. However, the proposed Agency affirmative action program differs in at least two respects from Bakke. First, the Agency program does not mandate that certain positions will be filled by minorities, without opportunity for nonminority individuals to compete for them. Second, the Bakke court endorses the idea, as an alternative to the impermissible type of quota system under review, that the school could institute "aggressive programs to identify, recruit, and provide remedial schooling for disadvantaged students."



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EXECUTIVE REGISTRY FILE P-1.2

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ADMINISTRATIVE - [REDACTED]

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DDA 77-1998

Executive Registry

77-413/3

2 MAY 1977

MEMORANDUM FOR: Deputy Director for Intelligence

FROM : E. H. Knoche
Deputy Director of Central Intelligence

SUBJECT : Minority Employment

1. At the 24 February 1977 EAG meeting we discussed, in depth, a proposal by D/EEO to establish specific numerical EOD goals over a three-year period in a concerted attempt to more rapidly increase Agency minority employment. He feels that the setting of minority goals will increase the commitment of managers below the Deputy Director level and that this commitment is required before minority employment can be truly accelerated.

2. The Deputy Director of Personnel pointed out the inherent limitations surrounding our search for minority professional and technical applicants: the very small number of minority candidates available to fill specific Agency personnel needs, the intense competition from other employers for those few individuals, our relatively modest number of personnel requirements, and the competition for Agency jobs from large numbers of extremely well-qualified non-minority applicants. He also noted that even with these limitations, the Agency has, in fact, been making steady progress for the last four years.

3. I am fully aware of the difficulties facing this Agency in our effort to more rapidly increase minority representation and I certainly appreciate the progress made to date. From 1972 through 1976, for example, the percentage of Blacks in the Agency has steadily risen [REDACTED] In STA FY-75 and FY-76, [REDACTED] of our total professional/ STA technical EODs have been minorities.

4. Nevertheless, I feel that more can and should be done. I am, therefore, assigning each Deputy Director and the Head of the E Career Service minority employment objectives both for the remainder of FY-77 and for FY-78. These objectives

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ADMINISTRATIVE - [REDACTED]

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cover professional/technical individuals only since minority clerical employment does not pose a problem. For the first five months of FY-77, 17% of our clerical EODs were minorities.

5. The minority objectives set forth below were arrived at after an analysis of your APP goals, estimated external personnel requirements, minority EODs during the first six months of FY-77, minority applicants currently in process, and an appraisal of the capability of the Office of Personnel to recruit professional/technical minority candidates in light of the limitations discussed in paragraph 2.

6. Objectives:

Black
Hispanic

Remainder FY-77 FY-78

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~~W~~ E. H. Knoche
E. H. Knoche

Distribution:

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DD/Pers/R&P [REDACTED] (4 Apr 77)

Originator: [REDACTED]

Director of Personnel

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